

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GERARDO HERNANDEZ,

Plaintiff,

v.

JASVIR KAUR d/b/a PARK-N-SAVE
LIQUOR, et al.

Defendants.

2:22-cv-0181-KJM-KJN PS

ORDER TO SHOW CAUSE

In January 2022, plaintiff filed this suit asserting violations of the Americans with Disabilities Act (“ADA”) and related laws against defendants’ Jasvir Kaur, Dhiru Patel, and Kokila Patel, who are alleged to own and operate a liquor store. (ECF No. 13; see ECF No. 1 ¶ 7; ECF No. 13.1 at 2.) On March 28, 2022, the clerk of court entered default against defendants. (ECF No. 9.)

On June 6, 2022, plaintiff filed a motion for default judgment against the three remaining defendants. (ECF No. 13.) Defendants failed to file any timely opposition to the motion.

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1 On June 26, 2022, out of an abundance of caution, the court issued a minute order
2 vacating the hearing on the motion and granting defendants a further opportunity to respond.
3 (ECF No. 14.) On July 17, 2022, defendants filed a motion for extension of time.¹ (ECF No. 15.)

4 On October 3, 2022, the court set aside defendants' default judgment and referred the
5 parties to the Voluntary Dispute Resolution Program (VDRP). (ECF No. 21.) The court ordered
6 that the parties contact the VDRP administrator to begin the process of selecting an appropriate
7 neutral within 21 days. (Id.)

8 Over 21 days have passed since the court's VDRP referral. Despite the court
9 administrator's multiple attempts to contact defendants, defendants have not contacted the court
10 to begin the VDRP process.

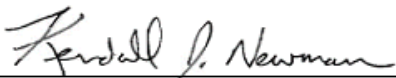
11 Accordingly, defendants are ordered to show cause within fourteen days why the court
12 should not impose monetary sanctions and invite plaintiff to seek reentry of default judgment
13 against defendants as a sanction. L.R. 110.

14 **ORDER**

15 Accordingly, IT IS HEREBY ORDERED that:

- 16 1. **Within 14 days** of the date of this order, defendants shall show cause in writing why the
17 court should not impose monetary sanctions and invite plaintiff to seek reentry of default
18 judgement against defendants as a sanction.

19 Dated: November 14, 2022

20 
21 KENDALL J. NEWMAN
22 UNITED STATES MAGISTRATE JUDGE

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27 ¹ While only defendant Jasvir Kaur filed the motion for extension of time, defendants' Kokila
28 Patel and Dhiru Patel later responded to an order to show cause that they would be representing
themselves. (ECF No. 19.)